

REMARKS

I. Status Summary

Claims 17-29 and 31 are pending in the present application. Claim 17 has been rejected by the U.S. Patent and Trademark Office (hereinafter "the Patent Office"). Claims 20-28 and 30 are currently withdrawn as being directed to non-elected subject matter. Claims 18-19, 29 and 31 have been objected to.

Claims 17, 18, and 29 have been amended. Withdrawn claims 20, 22, 24, 26, 27, and 28 have been amended. New claim 49 has been added. No new matter has been added. Therefore, upon entry of Amendment C, claims 17-19, 29, 31, and 49 will be pending in the subject application.

Reconsideration of the application as amended and further in view of the remarks set forth herein below is respectfully requested.

II. Response to Rejection under 35 U.S.C. § 102(b)

Claim 17 has been rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable over PCT International Publication No. WO 97/216760 to Anderskewitz et al. (hereinafter "Anderskewitz"). In particular, the Patent Office contends that Anderskewitz discloses phenylamidine derivatives and their use as therapeutic treatments for Alzheimer's disease.

After careful consideration of the rejection and the Patent Office's comments, applicants respectfully traverse the rejection and offer the following remarks.

Initially, applicants respectfully submit that claim 17 has been amended to recite that the amidine is a bis-benzamidine. Support for the amendment can be found in claim 29. Additional support can be found in the instant specification at page 3, lines 12-18 which recite that the active compounds are bis-benzenes wherein an amidine group can be covalently bound to both benzenes. See also, Instant Specification, page 6, lines 4-5.

In view of the amendment to claim 17, applicants respectfully submit that claims 20, 22, 24, 26, and 27 have been amended to recite that A and B are each independently substituents of formula (i) or (ii). Further, claim 28 has been amended to delete mono-amidine compounds originally recited therein.

Applicants also respectfully submit that the claims 20, 22, 24, 26, and 27 have been amended to refer to "substituent of formula (i)" or formula (ii), throughout. Applicants respectfully submit that support for formula (i) being a "substituent" can be found in the instant application as originally filed, for example, at page 9, line 3; at page 11, line 3; at page 12, line 34; and at page 13, line 6. Support for formula (ii) representing a "substituent" can be found in the instant specification at page 12, lines 4 and 11. Applicants respectfully submit that the claims as originally written are believed to be clear. However, the claims have been amended herein for additional precision of language.

Applicants respectfully submit that claim 17 recites a method of treating Alzheimer's disease in a subject in need of treatment thereof comprising administering to the subject a therapeutic amount of an amidine compound wherein the amidine compound comprises a bis-benzamidine, i.e., a compound comprising at least two benzene groups wherein the at least two benzene groups are covalently attached to an amidine moiety (-C(=NR)NR'R"). Applicants respectfully submit that Anderskewitz does not appear to teach or disclose a bis-benzamidine.

Accordingly, applicants respectfully request that the rejection of claim 17 under 35 U.S.C. § 102(b) in view of Anderskewitz be withdrawn and further ask that claim 17 be allowed at this time.

As claim 17 is believed to be allowable, applicants respectfully request that the Patent Office consider rejoinder of withdrawn claims 20-28 and 30, which depend from and include each and every element of claim 17.

III. Claim Objections, Allowable Subject Matter, and New Claim

The Patent Office has objected to claims 18, 19, 29 and 31 as being dependent upon a rejected base claim. The Patent Office has indicated that claims 18, 19, 29, and 31 would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims.

Applicants gratefully acknowledge the Patent Office's indication concerning the allowability of claims 18, 19, 29, and 31. Applicants respectfully submit that claim 18 has been rewritten in independent form. Support for claim 18 can be found in claims 17

and 18. As described hereinabove with respect to claims 20, 22, 24, 26, and 27, claim 18 has also been amended to refer to substituents or a "substituent of formula (i)." Applicants respectfully submit that support for formula (i) being a "substituent" can be found in the instant application as originally filed, for example, at page 9, line 3; at page 11, line 3; at page 12, line 34; and at page 13, line 6. Applicants respectfully submit that claim 18 as originally written is believed to be clear. However, the claim has been amended to recite "substituent" or "substituents" herein for additional precision.

Applicants further respectfully submit that claim 19 depends from claim 18 and that claim 29 has been amended to depend from claim 18.

New claim 49 has been added, directed to the method of claim 18, wherein the subject is afflicted with Alzheimer's disease. Support for new claim 49 can be found in claims 17, 18, and 29.

No new matter has been added. Particularly in view of the Patent Office's comments regarding the allowability of the subject matter of claims 18, 19, 29, and 31, applicants respectfully submit that claims 18, 19, 29 and 49 are in condition for allowance and respectfully request a Notice of Allowance to that effect.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

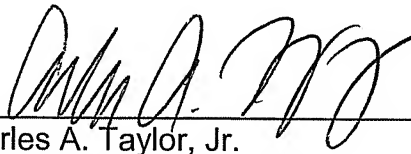
DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence, and to credit any over payment, to Deposit Account Number **50-0426**.

Respectfully submitted,
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